



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Fourteenth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.11978 of 2017

WEB COPY

1 ASHOK
2 SONAI
3 JEYA
4 SHEELA

... PETITIONERS/ACCUSED No.1-4

Vs

THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TALLAKULAM,
MADURAI CITY,
CR NO. 33/2017.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SOLAISAMY Advocate

For Respondent : MR.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

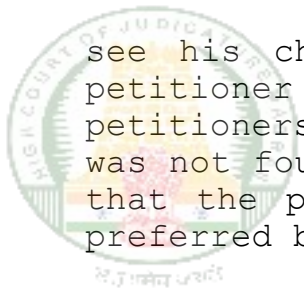
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 506(i) of IPC., in Crime No.33 of 2017, seek anticipatory bail.

2. The case of the prosecution is that the accused in this case are said to have demanded sum of Rs.2,00,000/- as additional dowry by way harassing and torturing the de-facto complainant. While the petitioners and the de-facto complainant living matrimonial home, the first petitioner said to have attacked the de-facto complainant with iron rod and for that occurrence the de-facto complainant gave a complaint by S.S.Colony police station and it was compromise between the parties and came back to the matrimonial home. Again the accused said to have tortured and demanded dowry and on 15.04.2017 the first accused said to have attacked with bricks while the de-facto complainant in a parental house and demanded further dowry of Rs.2,00,000/- .

3. The learned counsel appearing for the petitioners states that A2 to A4 are residing far away from the de-facto complainant and there was a dispute between the first petitioner and the de-facto complainant and the defacto complainant left the matrimonial home and resides with her parents. Recently the first petitioner went to her home to see his children. At that time the de-facto complainant and her family members prevented the first petitioner to



see his children. So, there was wordy quarrel between the first petitioner and de-facto complainant. The second and third petitioners are residing at Chennai and the fourth petitioner's name was not found at anywhere in the complaint. He would further submit that the petitioners are innocent and the said complaint has been preferred by the de-facto complainant with an ulterior motive.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally four accused in this case and the petitioners herein are arrayed as A1 to A4 respectively. A1 is the husband of the de-facto complainant; A2 and A3 are the parents of A1; A4 is the sister of A1 and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the alleged conduct of the first petitioner, torturing the de-facto complainant and also attacked the de-facto complaint earlier occasion in iron rod, this Court is not inclined to grant anticipatory bail in respect of A1 and grant anticipatory bail only to the petitioners 2 to 4 / A2 to A4 with certain conditions.

6. Accordingly, the petitioners 2 to 4 / A2 to A4 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Additional Mahila Court (JM Levell), Madurai, on condition that each petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the Petitioners 2 to 4 / A2 to A4 shall report before respondent Police as and when required, for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

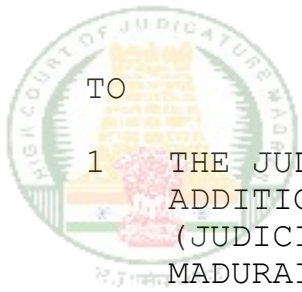
7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

8. Insofar as the Criminal Original Petition in respect of 1st Petitioner / A1 is concerned, this Court is not inclined to grant anticipatory bail and hence, this petition stands dismissed.

sd/-
14/09/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDGE,
ADDITIONAL MAHILA COURT
(JUDICIAL MAGISTRATE LEVEL)
MADURAI.

2 CHIEF JUDICIAL MAGISTRATE,
MADURAI

3 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TALLAKULAM, MADURAI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.SOLAISAMY Advocate SR.No.30829

ORDER

IN

CRL OP(MD) No.11978 of 2017

Date :14/09/2017

PK/CM-MSA/SAR-4/19.09.2017 : 3P/6C